

Agenda

Item #7



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

September 9, 2009

Hon. Lisa Marrache
109 Silver Street
Waterville, Me. 04901

Dear Senator Marrache:

Enclosed is the final report of the audit of your 2008 campaign for State Senate. The report will was not finalized and presented to the Commissioners at their July 30th meeting because of the unexpected resignation of the Commission's auditor, Robert Morrill. The final report is the same as the draft report sent to you on June 3, 2009, except that it includes a sentence noting that we received no comments from you in response to the draft report.

I will be notifying the Commissioners of the audit report at their meeting on Thursday, October 1, 2009 at 9:00 a.m. in Room 208 of the Cross Office Building, 111 Sewall Street in Augusta. At the meeting, I will be recommending the two findings of technical violation contained in the report. If you have any interest in responding to the proposed findings, you are welcome to attend the meeting in person or to provide written comments to me by Tuesday, September 22nd.

Thank you for your prompt responses to Mr. Morrill's requests. Please telephone me at 287-4179 if you have any questions about the report or the October 1 meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Wayne".

Jonathan Wayne
Executive Director



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

September 9, 2009

Audit Report

**Candidate: Lisa T. Marrache
Senate District 25**

Background

Lisa T. Marrache was a candidate for the Maine Senate, District 25, in the 2008 elections. She was certified by the Commission as a Maine Clean Election Act (MCEA) candidate on 4/22/08. MCEA candidates are required under the Act to submit reports of their receipts, expenditures, outstanding campaign debt, and equipment purchases and dispositions for specified periods during the election cycle.

Audit Scope

Examination of selected candidate contribution and expenditure transactions occurring during the following campaign reporting periods:

- Seed Money
- Six Day Pre-Primary
- 42 Day Post-Primary
- 42 Day Pre-General
- Six Day Pre-General
- 42 Day Post-General

Transactions subject to review were those recorded in the candidate's accounting records and reported to the Commission. The audit's purpose was to determine if the identified receipts and payments (1) were properly approved by the candidate or her authorized representative; (2) were adequately documented as evidenced by original vendor invoices and cancelled checks or other acceptable disbursement documentation; and (3) complied in all material respects with the requirements of the Maine Clean Election Act and the Commission's rules.

Audit Findings and Recommendations

Finding No. 1 – Misreporting of unpaid obligation, overpayment of MCEA funds: Candidates for State Senate are permitted to collect up to \$1,500 in seed money contributions before the end of the qualifying period on April 15th of the election year. If a candidate has not spent all of the seed money by the end of the qualifying period, the unspent seed money is deducted from the candidate's first public funds payment. In the Commission staff's experience, many candidates are confused about these procedures. Some candidates have been informed erroneously by colleagues or party staff that they must, or should, spend seed money before submitting their qualifying paperwork.

In her seed money campaign finance report that was submitted to the Commission on April 15, 2008, Sen. Marrache reported on Schedule B making an April 14, 2008 expenditure of \$1,496.25 to Atkins Printing for palmcards. Along with some smaller expenditures, this left her with a *reported* zero cash balance in her seed money report. So, on April 22, 2008 she received the full MCEA payment of \$1,927.00 for the primary election.

In fact, the audit disclosed that although she placed an order for materials with Atkins Printing on April 14, 2008, she did not make an actual expenditure of funds for those materials until around May 16, 2008. In her April 15, 2008 seed money report, Sen. Marrache's campaign should have reported the unpaid obligation on Schedule D – rather than on Schedule B. The electronic instructions on the reporting form on the Commission's website are clear about where to report unpaid obligations.

While the mistake as to the schedule is easy to make, it was of some significance because it impacted the amount MCEA funds Sen. Marrache received on April 22, 2008 for the primary. Had she disclosed the obligation on Schedule D as required by the Commission's reporting forms, her April 15, 2008 seed money report would have shown a cash balance of \$1,496.25. As a consequence, she would have received \$442.75 for the primary election. Instead, she was overpaid for the primary election by \$1,496.25 because her report showed a cash balance of zero. However, because her campaign returned \$7,013 in unspent MCEA funds after the general election, her campaign ultimately did not gain an unfair financial advantage in the general election due to the reporting error. (Sen. Marrache did not have a primary election opponent.)

Criteria: As required by 21-A M.R.S.A. 1125(12), "participating and certified candidates shall report any money collected, all campaign expenditures, obligations and related activities to the commission according to procedures developed by the commission." Under 21-A M.R.S.A. § 1125(2-A)(C)), "[u]pon requesting certification, a participating candidate shall file a report of all seed money contributions and expenditures. If the candidate is certified, any unspent seed money will be deducted from the amount distributed to the candidate as provided in subsection 8."

Recommendation: the Commission staff recommends finding that the campaign violated 21-A M.R.S.A. § 1125(12) by not reporting the unpaid obligation during the qualifying period according to the procedures of the Commission. The staff recommends no penalty for this violation and no order for the return of MCEA funds. Although Sen. Marrache was overpaid for the primary election, after the general election she returned \$7,013 of MCEA funds that she was authorized to spend on her campaign.

Finding No. 2 – Not depositing seed money contributions: Senator Marrache reported receiving 15 seed money contributions of \$100, mostly from relatives of the Senator or her husband. The audit disclosed that 11 of these contributions were made by cash, which is permitted by Maine Election Law. The campaign did not deposit the 11 cash contributions in a bank account as required by statute (see below), and instead, Sen. Marrache explained that she replaced those cash contributions with a personal check of \$1,100 made to her campaign. Her explanation is consistent with a bank deposit slip dated April 29, 2008 listing a single check for \$1,100 and four separate checks for \$100 each.

Criteria: 21-A M.R.S.A. § 1125(7-A): "The candidate or committee ... shall deposit all revenues from the fund and all seed money contributions in a campaign account with a bank or other financial institution."

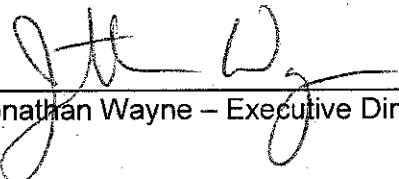
Recommendation: The Commission staff recommends finding Senator Marrache in violation of 21-A M.R.S.A. § 1125(7-A) for not depositing \$1,100 in seed money contributions in a campaign account with a bank or other financial institution. Depositing seed money in a bank or credit union is a statutory requirement that creates an audit trail which the state government, through the Commission, can use to verify that candidates have complied with the seed money restrictions during the qualifying period. The Commission staff recommends no financial penalty for the violation. The legal requirement to deposit seed money in an account with a financial institution is relatively new and may not be well known among candidates.

Additional Notation: the Commission staff reviewed all expenditures of MCEA funds by Sen. Marrache's campaign and no exceptions were found with the campaign's use of those funds.

Candidate's Comments

The candidate did not provide comments in response to the draft audit report, which was mailed to her on June 3, 2009.

Approved:


Jonathan Wayne – Executive Director

**For Commission
use only**

data entry _____

proofread _____

follow-up _____

**STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES**

Mail: 135 State House Station, Augusta, Maine 04333-0135

Office: 242 State Street, Augusta, Maine

Tel: (207) 287-4179 Fax: (207) 287-6775

Website: www.maine.gov/ethicsElectronic Filing: www.maine.campaignfinance.com**2008 SEED MONEY CAMPAIGN FINANCE REPORT**

(Please Complete ALL Entries)

Name of CANDIDATE LISA T. MARRACHE

Mailing address 109 SILVER STREET

City, zip code WATERVILLE ME 04901

Telephone number (207)861-0154 Fax (207)872-8098 E-mail drisa@elmcitymed.com

Office Sought SENATE District Number 25

**CHECK IF CHANGED
SINCE PREVIOUS
REPORT**

Name of TREASURER RON MARRACHE

Mailing address 109 SILVER STREET

City, zip code WATERVILLE ME 04901

Telephone number (207)861-0154 Fax (207)872-8098 E-mail driron@elmcitymed.com

**CHECK IF CHANGED
SINCE PREVIOUS
REPORT**☐ This is the first report for the candidate's 2008 campaign.☐ Reports were previously filed for the candidate's 2008 campaign on _____.**(Please do not report transactions that were included in previous reports.)****I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND TO THE BEST OF MY KNOWLEDGE IT IS TRUE, CORRECT AND COMPLETE.**

SIGNATURE ON FILE

4/15/2008

SIGNATURE ON FILE

4/15/2008

Treasurer's Signature

Date

Candidate's Signature

Date

LISA T. MARRACHE

(Schedule A Only)

CANDIDATE'S FULL NAME

SCHEDULE A CASH CONTRIBUTIONS

- Seed money contributions may be accepted only from individuals. The contributions must be from their personal funds and not from other sources. Each contributor may give up to \$100 per election. Lobbyists and lobbyist associates may not make seed money contributions during the legislative session. Members of the candidate's family may each provide up to \$100 in seed money, provided the contributions are from their personal funds.
- Total seed money contributions may not exceed \$50,000 for Gubernatorial candidates, \$1,500 for Senate candidates, and \$500 for House candidates.
- Itemize all cash contributions from contributors who have given you more than \$50 per election. Both cash and in-kind contributions count toward the \$50 threshold.
- Enter the occupation and employer for every individual contributing more than \$50 per election. If you have requested employment information from the contributor and the contributor has not provided it, indicate "information requested" for the occupation and employer.
- For cash contributions totaling \$50 or less, please enter "total of contributions \$50 or less" and the total amount on this page. Once a contributor has given you more than \$50 in an election, you must list that contributor separately.

DATE RECEIVED	CONTRIBUTOR'S NAME, ADDRESS, ZIP	OCCUPATION	EMPLOYER	TYPE (use Key Code)	AMOUNT
4/11/2008	RONNIE C MARRACHE 109 SILVER STREET WATERVILLE ME 04901	PHYSICIAN	SELF	1	100.00
4/11/2008	LISA T MARRACHE 109 SILVER STREET WATERVILLE ME 04901	PHYSICIAN	SELF	1	100.00
4/11/2008	MAURICE S MARRACHE 954 HIDDEN HOLLOW DRIVE MARIETTA GA 30068	RETAIL	UNIFORM DEPOT	2	100.00
4/11/2008	KAITLIN S MARRACHE 109 SILVER STREET WATERVILLE ME 04901	STUDENT		2	100.00
4/11/2008	KYLE L MARRACHE 109 SILVER STREET WATERVILLE ME 04901	STUDENT		2	100.00
4/11/2008	EVELYN MARRACHE 954 HIDDEN HOLLOW DRIVE MARIETTA GA 30068	RETAIL	UNIFORM DEPOT	2	100.00
4/11/2008	MARCUS MARRACHE 954 HIDDEN HOLLOW DRIVE MARIETTA GA 30068	RETAIL	UNIFORM DEPOT	2	100.00

DATE PRINTED: 9/23/2009

Seed Money Report

4/11/2008	PAUL TESSIER 41 WESTERN AVENUE FAIRFIELD ME 04937	RETIRED		2	100.00
4/11/2008	SANDRA TESSIER 41 WESTERN AVENUE FAIRFIELD ME 04937	HOUSEWIFE		2	100.00
4/11/2008	KEVIN TESSIER 41 WESTERN AVENUE FAIRFIELD ME 04937	STUDENT		2	100.00
4/9/2008	WILLIAM LAVIN 7 CLEVELAND PLACE WATERVILLE ME 04901	PHYSICIAN	SELF	2	100.00
4/11/2008	MICHELLE HANCOCK 2252 KIRBY BRIDGE DR DECATUR AL 35603	ENGINEER	SELF	2	100.00
4/11/2008	MICHAEL HANCOCK 2252 KIRBY BRIDGE DRIVE DECATUR AL 35603	MACHINIST	SELF	2	100.00
4/11/2008	REMI TESSIER 307 HIGHLAND PLACE VALDOSTA GA 31602	LIQUOR SALES	SELF	2	100.00
4/11/2008	RHONDA TESSIER 307 HIGHLAND PLACE VALDOSTA GA 31602	HOUSEWIFE		2	100.00

Total cash contributions (this page only) ⇒

1,500.00

Key Codes:**1 = Candidate and Candidate's Spouse****2 = Other Individuals****3 = Commercial Sources (corporations, etc.)****4 = Political Action Committees****5 = Political Party Committees****6 = Other Candidates and Candidate Committees****7 = Maine Clean Election Act Payments****8 = Contributors giving \$50 or less****9 = Transfer from Previous Campaign**

LISA T. MARRACHE

(Schedule B Only)

CANDIDATE'S FULL NAME

**SCHEDULE B
EXPENDITURES**

- Enter the date, payee, expenditure type, and amount for each expenditure made during the reporting period.
- For expenditure types which require a remark, enter a description of the goods and services purchased.
- For expenditures paid with non-campaign funds which are to be reimbursed, enter the information for the vendor that actually provided the goods or services. In the remarks section, enter the name of the person reimbursed and any other required remarks. Report goods and services purchased by others for which no reimbursement is made on Schedule A-1.
- Only enter expenditures that have actually been paid. Enter unpaid debts and obligations on Schedule D.

Expenditure Types Requiring <u>NO</u> Remark		Expenditure Types Which <u>REQUIRE</u> Remark	
PRT	Print media ads	SAL	Campaign workers' salaries
TVN	TV or cable ads, production costs	CNS	Campaign consultants
RAD	Radio ads, production costs	PRO	Other professional services
LIT	Campaign literature (printing and graphics)	EQP	Equipment
POS	Postage for U.S. Mail	FND	Fundraising events
MHS	Mail house (all services purchased)	TRV	Travel (fuel, mileage, lodging, etc.)
PHO	Phone banks, automated telephone calls	OTH	Other
FOD	Food for campaign events, volunteers		
OFF	Office rent, utilities, phone and internet service, supplies		
WEB	Internet and e-mail		
POL	Polling and survey research		
CON	Contribution to Other Candidate, Party, Cmte		

Payment of
\$1,496.25 made
on May 16, 2008

DATE EXPENDITURE MADE	NAME OF EACH PAYEE	EXPENDITURE TYPE (use code from above)	REMARK (if the expenditure type requires a remark, describe all goods and services purchased)	AMOUNT
4/14/2008	ATKINS PRINTING	LIT	PALM CARDS	1,484.25
4/14/2008	ELM CITY MEDICAL ASSOCIATES PA	POS		3.75
3/2/2008	HANNAFORD	OTH	MONEY ORDERS FOR CASH \$5 DONATIONS	12.00

DATE PRINTED: 9/23/2009

Seed Money Report

Total expenditures (this page only) ⇒

1,500.00

LISA T. MARRACHE

09/23/2009

CANDIDATE'S FULL NAME

Date Submitted

**SCHEDULE F
SUMMARY SECTION
(SEED MONEY CAMPAIGN FINANCE REPORT)**

This page is required for all candidates except those checking the no-activity box on the cover page of the report. The cash balance on line 6 must match the cash balance in the campaign's bank account as of the last day of this reporting period.

CASH ACTIVITY		TOTAL FOR THIS PERIOD
1. CASH BALANCE FROM LAST REPORT (if any)		0.00
2. SEED MONEY (CASH) CONTRIBUTIONS (total of all Schedule A pages)	+	1,500.00
3. SALE OF CAMPAIGN PROPERTY THIS PERIOD (Schedule E, Part II)	+	0.00
4. OTHER CASH RECEIPTS THIS PERIOD (interest, etc.)	+	0.00
5. MINUS TOTAL EXPENDITURES THIS PERIOD (total of all Schedule B pages)	-	1,500.00
6. CASH BALANCE AT CLOSE OF PERIOD (lines 1 + 2 + 3 + 4 - 5)	=	0.00

OTHER ACTIVITY THIS REPORTING PERIOD		
7. TOTAL IN-KIND CONTRIBUTIONS (total all Schedule A-1 pages)		0.00
8. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (total all Schedule D pages)		0.00



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

September 23, 2009

Eric Lusk
24 Vesper Street, #2
Portland, Maine 04101

Dear Mr. Lusk:

Enclosed is the final report of the audit of your 2008 campaign for State Senate. The final report is the same as the draft report sent to you on September 9, 2009, except that it includes a sentence noting that we received no comments from you in response to the draft report.

I will be notifying the Commissioners of the audit report at their meeting on Thursday, October 1, 2009 at 9:00 a.m. in Room 208 of the Cross Office Building, 111 Sewall Street in Augusta. At the meeting, I will be recommending the finding of technical violation contained in the report. If you have any interest in responding to the proposed findings, you are welcome to attend the meeting in person.

Please call me at (207) 287-4179 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Wayne".

Jonathan Wayne
Executive Director



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

September 22, 2009

Audit Report

**Candidate: Eric B. Lusk
Senate District 8**

Background

Eric B. Lusk was a candidate for the Maine Senate, District 8, in the 2008 elections. He was certified by the Commission as a Maine Clean Election Act (MCEA) candidate on 4/22/08. MCEA candidates are required under the Act to submit reports of their receipts, expenditures, outstanding campaign debt, and equipment purchases and dispositions for specified periods during the election cycle.

Audit Scope

Examination of selected candidate contribution and expenditure transactions occurring during the following campaign reporting periods:

- Seed Money
- Six Day Pre-Primary
- 42 Day Post-Primary
- 42 Day Pre-General
- Six Day Pre-General
- 42 Day Post-General

Transactions subject to review were those recorded in the candidate's accounting records and reported to the Commission. The audit's purpose was to determine if the identified receipts and payments (1) were properly approved by the candidate or her authorized representative; (2) were adequately documented as evidenced by original vendor invoices and cancelled checks or other acceptable disbursement documentation; and (3) complied in all material respects with the requirements of the Maine Clean Election Act and the Commission's rules.

Audit Findings and Recommendations

Misreporting of unpaid obligation, overpayment of MCEA funds: Candidates for State Senate are permitted to collect up to \$1,500 in seed money contributions before the end of the qualifying period on April 15th of the election year. If a candidate has not spent all

of the seed money by the end of the qualifying period, the unspent seed money is deducted from the candidate's first public funds payment. In the Commission staff's experience, many candidates are confused about these procedures. Some candidates have been informed erroneously by colleagues or party staff that they must, or should, spend seed money before submitting their qualifying paperwork.

In his seed money campaign finance report that was submitted to the Commission on April 15, 2008, Mr. Lusk reported on Schedule B making an April 3, 2008 expenditure of \$300.00 to David Guillemette Campaign Arts for a campaign logo and pitch piece and a second \$300.00 expenditure to the same vendor on April 14, 2008. Along with other reported expenditures, this left him with a *reported* 46 cents cash balance in his seed money report. So, on April 22, 2008 he received an MCEA payment of \$1,926.54 for the primary election.

In fact, the audit disclosed that although he placed an order for materials with the vendor on April 3, 2008, he did not make an actual expenditure of funds for those materials until April 21, 2008. In his April 18, 2008 seed money report, Mr. Lusk's campaign should have reported the unpaid obligation on Schedule D – rather than on Schedule B. The electronic instructions on the reporting form on the Commission's website are clear about where to report unpaid obligations.

While the mistake as to the schedule is easy to make, it was of some significance because it impacted the amount MCEA funds Mr. Lusk received on April 22, 2008 for the primary. Had he disclosed the obligation on Schedule D as required by the Commission's reporting forms, his April 15, 2008 seed money report would have shown a cash balance of \$600.46. As a consequence, he would have received \$1,326.54 for the primary election. Instead, he was overpaid for the primary election by \$600.00 because his report showed a cash balance of 46 cents. However, because his campaign returned \$1,041.61 in unspent MCEA funds after the general election, his campaign ultimately did not gain an unfair financial advantage in the general election due to the reporting error. (Mr. Lusk did not have a primary election opponent.)

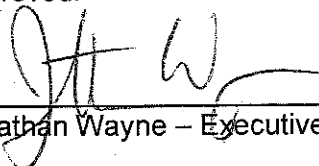
Criteria: As required by 21-A M.R.S.A. 1125(12), "participating and certified candidates shall report any money collected, all campaign expenditures, obligations and related activities to the commission according to procedures developed by the commission." Under 21-A M.R.S.A. § 1125(2-A)(C)), "[u]pon requesting certification, a participating candidate shall file a report of all seed money contributions and expenditures. If the candidate is certified, any unspent seed money will be deducted from the amount distributed to the candidate as provided in subsection 8."

Recommendation: the Commission staff recommends finding that the campaign violated 21-A M.R.S.A. § 1125(12) by not reporting the unpaid obligation during the qualifying period according to the procedures of the Commission. The staff recommends no penalty for this violation and no order for the return of MCEA funds. Although Mr. Lusk was overpaid for the primary election, after the general election he returned \$1,041.61 of MCEA funds that he was authorized to spend on his campaign.

Candidate's Comments

The candidate did not provide comments in response to the draft audit report, which was mailed to her on September 9, 2009.

Approved:


Jonathan Wayne – Executive Director

**For Commission
use only**

data entry _____

proofread _____

follow-up _____

**STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES**

Mail: 135 State House Station, Augusta, Maine 04333-0135

Office: 242 State Street, Augusta, Maine

Tel: (207) 287-4179 Fax: (207) 287-6775

Website: www.maine.gov/ethicsElectronic Filing: www.maine campaign finance.com**2008 SEED MONEY CAMPAIGN FINANCE REPORT**

(Please Complete ALL Entries)

Name of CANDIDATE ERIC B LUSKMailing address 24 VESPER STREET, #2City, zip code PORTLAND ME 04101Telephone number _____ Fax _____ E-mail ericblusk@yahoo.comOffice Sought SENATE District Number 8**CHECK IF CHANGED
SINCE PREVIOUS
REPORT**Name of TREASURER THOMAS ELLIMANMailing address 36 ST. LAWRENCE STREETCity, zip code PORTLAND ME 04101Telephone number (207)899-1039 Fax _____ E-mail tellimanx@yahoo.com**CHECK IF CHANGED
SINCE PREVIOUS
REPORT**☐ This is the first report for the candidate's 2008 campaign.☐ Reports were previously filed for the candidate's 2008 campaign on _____.

(Please do not report transactions that were included in previous reports.)

I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND TO THE BEST OF MY KNOWLEDGE IT IS TRUE, CORRECT AND COMPLETE.

SIGNATURE ON FILE

4/22/2008

SIGNATURE ON FILE

4/22/2008

Treasurer's Signature

Date

Candidate's Signature

Date

ERIC B LUSK

(Schedule B Only)

CANDIDATE'S FULL NAME

SCHEDULE B EXPENDITURES

- Enter the date, payee, expenditure type, and amount for each expenditure made during the reporting period.
- For expenditure types which require a remark, enter a description of the goods and services purchased.
- For expenditures paid with non-campaign funds which are to be reimbursed, enter the information for the vendor that actually provided the goods or services. In the remarks section, enter the name of the person reimbursed and any other required remarks. Report goods and services purchased by others for which no reimbursement is made on Schedule A-1.
- Only enter expenditures that have actually been paid. Enter unpaid debts and obligations on Schedule D.

Expenditure Types Requiring NO Remark		Expenditure Types Which REQUIRE Remark	
PRT	Print media ads	SAL	Campaign workers' salaries
TVN	TV or cable ads, production costs	CNS	Campaign consultants
RAD	Radio ads, production costs	PRO	Other professional services
LIT	Campaign literature (printing and graphics)	EQP	Equipment
POS	Postage for U.S. Mail	FND	Fundraising events
MHS	Mail house (all services purchased)	TRV	Travel (fuel, mileage, lodging, etc.)
PHO	Phone banks, automated telephone calls	OTH	Other
FOD	Food for campaign events, volunteers		
OFF	Office rent, utilities, phone and internet service, supplies		
WEB	Internet and e-mail		
POL	Polling and survey research		
CON	Contribution to Other Candidate, Party, Cmte		

DATE EXPENDITURE MADE	NAME OF EACH PAYEE	EXPENDITURE TYPE (use code from above)	REMARK (if the expenditure type requires a remark, describe all goods and services purchased)	AMOUNT
4/3/2008	DAVID GUILLETTE COMMUNICATION ARTS	LIT	CAMPAIGN LOGO AND PITCH PIECE	300.00
4/14/2008	DAVID GUILLETTE COMMUNICATION ARTS	LIT	BUSINESS CARD DESIGN, PALM CARD DESIGN	300.00
4/8/2008	BAYSIDE PRINTING SERVICES	LIT	2000 BUSINESS CARDS	220.98

DATE PRINTED: 9/23/2009

Seed Money Report

4/10/2008	ERIC B. LUSK	WEB	GODADDY.COM RE-IMBURSEMENT	46.36
4/14/2008	HARLAND CHECKS	OTH	CHECKBOOKS	9.20
4/9/2008	AXON DESIGN & MGMT, LLC	LIT	PALM CARDS, SIGNS, BANNER, MAGNET	610.00
3/5/2008	ERIC B. LUSK	OTH	MONEY ORDERS	13.00
Total expenditures (this page only) ⇒				1,499.54

ERIC B LUSK

(Schedule D only)

CANDIDATE'S FULL NAME

**SCHEDULE D
UNPAID DEBTS AND OBLIGATIONS**

- List any debts or obligations that are unpaid at the close of this period.
- If the campaign has not received a bill for goods or services or a credit card bill, contact the vendor or credit card company to obtain the amount owed.
- If it is impossible to verify the amount of the debt, enter an estimated amount and indicate that the amount is estimated in the purpose section.
- Report actual payments to vendors on Schedule B.

DATE OBLIGATION INCURRED	CREDITOR'S NAME AND ADDRESS	PURPOSE	AMOUNT
Total unpaid debts and obligations (this page only) ⇒			

ERIC B LUSK

09/23/2009

CANDIDATE'S FULL NAME

Date Submitted

**SCHEDULE F
SUMMARY SECTION
(SEED MONEY CAMPAIGN FINANCE REPORT)**

This page is required for all candidates except those checking the no-activity box on the cover page of the report. The cash balance on line 6 must match the cash balance in the campaign's bank account as of the last day of this reporting period.

CASH ACTIVITY	TOTAL FOR THIS PERIOD
1. CASH BALANCE FROM LAST REPORT (if any)	0.00
2. SEED MONEY (CASH) CONTRIBUTIONS (total of all Schedule A pages)	+ 1,500.00
3. SALE OF CAMPAIGN PROPERTY THIS PERIOD (Schedule E, Part II)	+ 0.00
4. OTHER CASH RECEIPTS THIS PERIOD (interest, etc.)	+ 0.00
5. MINUS TOTAL EXPENDITURES THIS PERIOD (total of all Schedule B pages)	- 1,499.54
6. CASH BALANCE AT CLOSE OF PERIOD (lines 1 + 2 + 3 + 4 - 5)	= 0.46

DATE PRINTED: 9/23/2009

Seed Money Report

OTHER ACTIVITY THIS REPORTING PERIOD

7. TOTAL IN-KIND CONTRIBUTIONS (total all Schedule A-1 pages)

0.00

8. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (total all Schedule D pages)

0.00



Menu

Home

Help

Logout

Change Password

✓ Popup Help

**Seed Money Report
Campaign Year 2008****Schedule B
Expenditures**

- Enter the date, expenditure type, payee information, and amount for each expenditure made during the reporting period.
- For expenditure types which require a remark, enter a description of the goods and services purchased.
- For reimbursements, expenditures made with a candidate's or an authorized individual's personal funds must be reimbursed within the same reporting period as the expenditure. Enter the vendor as the payee and the purchase date. Report the name of the individual who made the payment in the remarks section.
- Only enter expenditures that have actually been paid. Enter unpaid debts and obligations on Schedule D.

Date Expenditure Made:



Period Through 4/15/2008 (mm/dd/yyyy)

Select Type:

☐ Business/Committee ☐ Individual

Save

Reset

Report Menu

Instruction
on unpaid
debts

- A. Fifty thousand dollars for a gubernatorial candidate;
- B. One thousand five hundred dollars for a candidate for the State Senate; or
- C. Five hundred dollars for a candidate for the State House of Representatives.

The commission may, by rule, revise these amounts to ensure the effective implementation of this chapter.

2-A. Seed money restrictions. To be eligible for certification, a participating candidate may collect and spend only seed money contributions subsequent to becoming a candidate and prior to certification. A participating candidate may not solicit, accept or collect seed money contributions after certification as a Maine Clean Election Act candidate.

A. All goods and services received prior to certification must be paid for with seed money contributions, except for goods and services that are excluded from the definition of contribution in section 1012, subsection 2, paragraph B. It is a violation of this chapter for a participating candidate to use fund revenues received after certification to pay for goods and services received prior to certification,.

B. Prior to certification, a participating candidate may obligate an amount greater than the seed money collected, but may only receive that portion of goods and services that has been paid for or will be paid for with seed money. A participating candidate who has accepted contributions or made expenditures that do not comply with the seed money restrictions under this chapter may petition the commission to remain eligible for certification as a Maine Clean Election Act candidate in accordance with rules of the commission, if the failure to comply was unintentional and does not constitute a significant infraction of these restrictions.

C. Upon requesting certification, a participating candidate shall file a report of all seed money contributions and expenditures. If the candidate is certified, any unspent seed money will be deducted from the amount distributed to the candidate as provided in subsection 8.


3. Qualifying contributions. Participating candidates must obtain qualifying contributions during the qualifying period as follows:

- A. For a gubernatorial candidate, at least 3,250 verified registered voters of this State must support the candidacy by providing a qualifying contribution to that candidate;
- B. For a candidate for the State Senate, at least 150 verified registered voters from the candidate's electoral division must support the candidacy by providing a qualifying contribution to that candidate; or
- C. For a candidate for the State House of Representatives, at least 50 verified registered voters from the candidate's electoral division must support the candidacy by providing a qualifying contribution to that candidate.

B-1. For candidates in contested primary elections receiving a distribution under paragraph A, additional revenues from the fund must be distributed within three (3) days of March 15th of the election year.

C. No later than three (3) days after the primary election results are certified, for general election certified candidates, revenues from the fund must be distributed according to whether the candidate is in a contested or uncontested general election.

Funds may be distributed to certified candidates under this section by any mechanism that is expeditious, ensures accountability and safeguards the integrity of the fund.

 **7-A. Deposit into account.** The candidate or committee authorized pursuant to section 1013-A, subsection 1, shall deposit all revenues from the fund and all seed money contributions in a campaign account with a bank or other financial institution. The campaign funds must be segregated from, and may not be commingled with, any other funds.

8. Amount of fund distribution. By July 1, 1999 of the effective date of this Act, and at least every four (4) years after that date, the commission shall determine the amount of funds to be distributed to participating candidates based on the type of election and office as follows.

A. For contested legislative primary elections, the amount of revenues to be distributed is the average amount of campaign expenditures made by each candidate during all contested primary election races for the immediately preceding two primary elections, as reported in the initial filing period subsequent to the primary election, for the respective offices of State Senate and State House of Representatives.

B. For uncontested legislative primary elections, the amount of revenues distributed is the average amount of campaign expenditures made by each candidate during all uncontested primary election races for the immediately preceding two primary elections, as reported in the initial filing period subsequent to the primary election, for the respective offices of State Senate and State House of Representatives.

C. For contested legislative general elections, the amount of revenues distributed is the average amount of campaign expenditures made by each candidate during all contested general election races for the immediately preceding two general elections, as reported in the initial filing period subsequent to the general election for the respective offices of State Senate and State House of Representatives.

D. For uncontested legislative general elections, the amount of revenues to be distributed from the fund is 40% of the amount distributed to a participating candidate in a contested general election.

E. For gubernatorial primary elections, the amount of revenues distributed is \$200,000 per candidate in the primary election.

F. For gubernatorial general elections, the amount of revenues distributed is \$600,000 per candidate in the general election.

If the immediately preceding election cycles do not contain sufficient electoral data, the commission shall use information from the most recent applicable elections.

9. Matching funds. When any report required under this chapter or Chapter 13 shows that the sum of a candidate's expenditures or obligations, contributions and loans, or fund revenues received, whichever is greater, in conjunction with independent expenditures reported under section 1019-B, exceeds the sum of an opposing certified candidate's fund revenues, in conjunction with independent expenditures, the commission shall issue immediately to the opposing certified candidate an additional amount equivalent to the difference. Matching funds for certified candidates for the Legislature are limited to two times the amount originally distributed under subsection 8, paragraph A or C, whichever is applicable. Matching funds for certified gubernatorial candidates in a primary election are limited to two times the amount originally distributed under subsection 8, paragraph E. Matching funds for certified gubernatorial candidates in a general election are limited to the amount originally distributed under subsection 8, paragraph F.

10. Candidate not enrolled in a party. An unenrolled candidate who submits the required number of qualifying contributions and other required documents under subsection 4 by 5:00 p.m. on April 15th preceding the primary election and who is certified is eligible for revenues from the fund in the same amounts and at the same time as an uncontested primary election candidate and a general election candidate as specified in subsections 7 and 8. Otherwise, an unenrolled candidate must submit the required number of qualifying contributions and the other required documents under subsection 4 by 5:00 p.m. on June 2nd preceding the general election. If certified, the candidate is eligible for revenues from the fund in the same amounts as a general election candidate, as specified in subsection 8. Revenues for the general election must be distributed to the candidate no later than three (3) days after certification.

11. Other procedures. The commission shall establish by rule procedures for qualification, certification, disbursement of fund revenues and return of unspent fund revenues for races involving special elections, recounts, vacancies, withdrawals or replacement candidates.

★ [**12. Reporting; unspent revenue.** Notwithstanding any other provision of law, participating and certified candidates shall report any money collected, all campaign expenditures, obligations and related activities to the commission according to procedures developed by the commission. If a certified candidate pays fund revenues to a member of the candidate's immediate family or a business or nonprofit entity affiliated with a member of the candidate's immediate family, the candidate must disclose the family relationship in a manner prescribed by the commission. Upon the filing of a final report for any primary election in which the candidate was defeated and for all general elections that candidate shall return all unspent fund revenues to the commission. In developing these procedures, the commission shall utilize existing campaign reporting procedures

whenever practicable. The commission shall ensure timely public access to campaign finance data and may utilize electronic means of reporting and storing information.

12-A. Required records. The treasurer shall obtain and keep;

A. Bank or other account statements for the campaign account covering the duration of the campaign;

B. A vendor invoice stating the particular goods or services purchased for every expenditure of \$50 or more; and

C. A record proving that a vendor received payment for every expenditure of \$50 or more in the form of a cancelled check, receipt from the vendor or bank or credit card statement identifying the vendor as the payee.

The treasurer shall preserve the records for two (2) years following the candidate's final campaign finance report for the election cycle. The candidate and treasurer shall submit photocopies of the records to the Commission upon its request.

12-B. Audit requirements for candidates for Governor. The commission shall audit the campaigns of candidates for Governor who receive funds under this chapter to verify compliance with election and campaign laws and rules. Within one month of declaring an intention to qualify for public financing, a candidate for Governor, the campaign's treasurer and any other relevant campaign staff shall meet with the staff of the commission to discuss audit standards, expenditure guidelines and record-keeping requirements.

13. Distributions not to exceed amount in fund. The Commission may not distribute revenues to certified candidates in excess of the total amount of money deposited in the fund as set forth in section 1124. Notwithstanding any other provisions of this chapter, if the commission determines that the revenues in the fund are insufficient to meet distributions under subsections 8 or 9, the commission may permit certified candidates to accept and spend contributions, reduced by any seed money contributions, aggregating no more than \$500 per donor per election for gubernatorial candidates and \$250 per donor per election for State Senate and State House candidates, up to the applicable amounts set forth in subsections 8 and 9 according to rules adopted by the commission.

14. Appeals. A candidate who has been denied certification as a Maine Clean Election Act candidate, the opponent of a candidate who has been granted certification as a Maine Clean Election Act candidate or other interested persons may challenge a certification decision by the commission or its executive director as follows.

A. A challenger may appeal to the full commission within seven (7) days of the certification decision. The appeal must be in writing and must set forth the reasons for the appeal.

B. Within five (5) days after an appeal is properly made and after notice is given to the challenger and any opponent, the commission shall hold a hearing, except that the commission may extend this period upon agreement of the challenger and the candidate whose certification is the subject of the appeal, or in response to the